Filed 05/15/19 Page 1 of 1 Case 4:19-cv-02647-JS

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law,

| except as provided by local rule. Court to initiate the civil docke | les of court. This form, approvet sheet. (SEE INSTRUCTIONS O | ed in its original for NEXT PAGE OF | orm by the J THIS FORM., | Judicial Conference of the U | Jnited States in September 1974, | is required for the Clerk of |
|--|---|--|--------------------------------|--|----------------------------------|---|
| I. (a) PLAINTIFFS AVI YARON, Individually and On Behalf of All Others Similarly Situated, | | | | DEFENDANTS INTERSECT ENT, INC., LISA D. EARNHARDT, and JERYL L. HILLEMAN | | |
| (b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES) (c) Attorneys (Firm Name, Address, and Telephone Number) 1925 Century Park East, Suite 2100 Los Angeles, CA 90067 (310) 201-9150 II. BASIS OF JURISDICTION (Place an "X" in One Box Only) III. CI | | | | County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known) TIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff | | |
| 1 U.S. Government Plaintiff X 3 Federal Question (U.S. Government Not a Party) 2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III) | | | (For Citizer Citizer Citizer | Diversity Cases Only) PT of This State | and One E | PTF DEF cipal Place 4 4 State ncipal Place 5 5 |
| IV. NATURE OF SU | UIT (Place an "X" in One Box (| Only) | | | | |
| CONTRACT | TORTS | | | FORFEITURE/PENALTY | | OTHER STATUTES |
| 110 Insurance 120 Marine 130 Miller Act | PERSONAL INJURY 310 Airplane 315 Airplane Product Liability | PERSONAL I 365 Personal Inju Liability | | 625 Drug Related Seizure o Property 21 USC § 881 690 Other | | 375 False Claims Act 376 Qui Tam (31 USC § 3729(a)) |
| 140 Negotiable Instrument | 320 Assault, Libel & Slander | 367 Health Care/ Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Property Damage Product Liability PRISONER PETITIONS HABEAS CORPUS 463 Alien Detainee 510 Motions to Vacate Sentence 530 General 535 Death Penalty OTHER 540 Mandamus & Other 550 Civil Rights 555 Prison Condition 560 Civil Detainee— Conditions of Confinement | | LABOR | PROPERTY RIGHTS | 400 State Reapportionment |
| 150 Recovery of Overpayment Of Veteran's Benefits 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property | 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury 362 Personal Injury -Medical Malpractice CIVIL RIGHTS 440 Other Civil Rights 441 Voting 442 Employment 443 Housing/ Accommodations 445 Amer. w/Disabilities— Employment 446 Amer. w/Disabilities—Other 448 Education | | | 710 Fair Labor Standards A 720 Labor/Management Relations 740 Railway Labor Act 751 Family and Medical Leave Act 790 Other Labor Litigation 791 Employee Retirement Income Security Act | | 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced & Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 850 Securities/Commodities Exchange 890 Other Statutory Actions 891 Agricultural Acts 893 Environmental Matters 895 Freedom of Information Act 896 Arbitration 899 Administrative Procedure Act/Review or Appeal o Agency Decision 950 Constitutionality of Sta |
| ACTION Pr | Removed from 3 In State Court 3 In State Court 4 In State Court 5 In Statute under ivate Securities Litigation Reform a securities Fraud Violations | Act, 15 U.S.C. §§78j s of Sections 10 CLASS ACTION | Reope (Do not c (b) and 78t(a) | ite jurisdictional statutes unless; and 17 C.F.R. §240.10b-5 | trict (specify) Litigation—Tran | |
| VIII. RELATED CASE(S), IF ANY (See instructions): | | | | DOCKET NUMBI | ER | |
| IX. DIVISIONAL A | SSIGNMENT (Civil L | ocal Rule 3-2) |) | | | |

DATE 05/15/2019

(Place an "X" in One Box Only)

SIGNATURE OF ATTORNEY OF RECORD

× SAN FRANCISCO/OAKLAND

s/ Lesley F. Portnoy

EUREKA-MCKINLEYVILLE

SAN JOSE